

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN ARMER,

Defendant.

CASE NO. CR14-5294BHS

ORDER

This matter comes before the Court on the Defendant's Unopposed Motion to Continue Trial Date. The Court, having considered the unopposed motion and the Defendant's speedy trial waiver, makes the following findings of fact and conclusions of law:

1. Due to other trial commitments, defense counsel needs additional time to review discovery and perform its own independent investigation and conduct legal research prior to filing pretrial trial motions and undertaking trial preparation.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 3. Taking into account the exercise of due diligence, a continuance is necessary to allow
2 the defendant the reasonable time for effective preparation his defense, to explore resolution of
3 this case before trial and to ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4 4. Proceeding to trial absent adequate time for the defense to prepare would result in a
5 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

6 5. The ends of justice served by granting this continuance outweigh the best interests of
7 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

8 6. Defendant waived speedy trial through January 31, 2015.

9 NOW, THEREFORE, IT IS HEREBY ORDERED

10 That the trial date is continued from November 4, 2014, to January 6, 2015, at 9:00 a.m.
11 Pretrial Conference is set for December 29, 2014, at 1:30 p.m. Pretrial motions are due by
12 December 4, 2014. The resulting period of delay from October 17, 2014, to January 6, 2015, is
hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

13 Dated this 20th day of October, 2014.

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BENJAMIN H. SETTLE
United States District Judge